

## BATTLE OPPOSITION BY GRAND JURORS CENTRES ON SMITH

Governor "Filled Up" by Friends of Officials About to Be Investigated Is Charge.

SEEK OTHER QUARTERS.

Inquisitorial Body Objects to Being in Same Building With District Attorney.

When Gov. Smith comes here to-day or to-morrow he will find himself the centre of the controversy over the appointment of George Gordon Battle as counsel for the Extraordinary Grand Jury. Friends of the Grand Jurors sought the Governor to lay before him the objections which the jurors have to Mr. Battle conducting the investigations into the Municipal Departments and the District Attorney's office.

Friends of the Grand Jurors frankly expressed the fear that the Governor had been "filled up" by friends of the officials about to be investigated and that he did not understand just what the Grand Jury was trying to do. Stories that the Grand Jury was composed of "mugwumps, Republicans and disgruntled Democrats" seeking an issue for the 1920 campaign were said to be particularly annoying to members of the Grand Jury.

Gov. Smith was informed that the Grand Jury had served an ultimatum upon Mr. Battle that he would not be acceptable to the Grand Jurors as their counsel. Out of consideration for the Governor Mr. Battle would be permitted to join in the request that the Governor name Former Assistant District Attorney William M. Rand, now a partner of William Travers Jerome, as assistant counsel, but it was explained, however, to Mr. Battle that if he joined in this request it would be with the distinct understanding that he be adviser to the Grand Jury in name only. Mr. Rand is not to attend to all of the duties of the position. Mr. Battle is not expected to accept these terms, and it was said that he might ask to be relieved from the position altogether.

Grand Jurors also want quarters in some building other than the Criminal Courts Building. It was learned they do not believe that they can conduct their investigations with the degree of secrecy required in the same building in which District Attorney Swann has his offices. The finding of a photograph in a room adjoining the Grand Jury room made some feel that the secrecy of the Grand Jury proceedings were being violated. The Grand Jury also wants its own force of stenographers, clerks, accountants, investigators and process servers.

The published interview with Gov. Smith, in which he said that the members of the Grand Jury were satisfied with the appointment of Mr. Battle was denied to-day by members of the Grand Jury. The minutes, it was said, were sent to Mr. Battle by District Attorney Swann and not by the Grand Jury.

Members of the Grand Jury hinted to-day that they had "something up their sleeve." They asserted that they were determined to pursue their investigation to its end if it took them two or three years.

## HUNT FOR MAN WHO DIED AS THROG SAW TUG SINK

Victim's Companions Escaped in Lifeboat and Were Picked Up.

Efforts will be resumed to-day to find the body of Dan Ryan, a deckhand drowned in the hold when the wooden tugboat *Allice B.* of the General Electric Company capsized and sank off the Battery in view of several thousand persons on ferries and the sea wall yesterday.

The tug, under Capt. J. E. Sheen, had coaled at Communipaw and because of a flat Ryan was trimming the coal. A heavy wave washed over her and tons of water went into the open hatch on him. A few minutes later a larger wave struck her and she went on her beam end and disappeared.

Capt. Sheen and three of his crew clung to a lifeboat that had been washed off until the tugboat Volunteer rescued them.

WITHDRAWS SENTENCE.

Dennis Hallinan, arraigned before Judge Mulqueen in General Sessions to-day for sentence on his plea of guilty to manslaughter in the first degree in the killing of Frederick Vilman, a rival peddler of narcotics, at No. 129 East 107th Street, Oct. 25 last, was ordered imprisoned in Sing Sing for not less than ten years and not more than 15 years and 10 months. The court had been convinced that there was a murderous feud between the two and the killing was in a measure due to the instigation of self-defense.

Hallinan, on being the sentence addressed the court with vile epithets. Judge Mulqueen at once withdrew the sentence and instructed the probation officers to search Hallinan's record to learn whether he had previously been convicted of felony, in which contingency he might be sentenced to twenty years.

## Gen. Angeles's Widow Dies Of Grief, Though Not Told Of Husband's Execution



Mrs. CLARA K. ANGELES

### Worried Over Long Absence of One of the Leaders of the Mexican Revolution.

The funeral of Mrs. Clara K. Angeles, widow of Gen. Felipe Angeles, the Mexican revolutionist executed at Chihuahua Nov. 26, who died at her home, No. 345 West 118th Street, yesterday morning, was held at two o'clock this afternoon. Services in the home were attended by the children, Mrs. Carmen Delarosa, a sister, and a very few friends. Interment was in Calvary Cemetery.

Mrs. Angeles's death was hastened by worry about her husband, although she had been so ill from a nervous disorder she was not told of his execution. Alberto Angeles, a son, said he believed his mother died of grief, since she had received no word from

the General in seven months. He believed she had a premonition that misfortune had overtaken her husband. She asked for him constantly until a few moments before her death.

Besides Alberto, three other children, Isabel, twenty, and twins, Felipe and Julio, thirteen, were left by Mrs. Angeles.

Alberto said that his mother was forty-three years old and had been married twenty-five years. Mrs. Angeles was born in San Francisco and went to Chapultepec, Mexico, when eighteen.

While teaching school there, Alberto said, in 1913 his father took the family to France and Belgium, where the General was inspector of Munitions for those two countries. Two years later all returned to New York.

### BROOKLYN BABY'S FIT MAKES FATHER, MOTHER AND TWO AUNTS FAINT

"The whole family is dying! Send help!"

This was the telephone message received at the Ralph Avenue Police Station, Brooklyn. The speaker said he was Abraham Davis of No. 280 Sumpter Street.

An ambulance was called from the Bushwick Hospital and Dr. Arnowitz learned that the trouble began when Carl Morse, one year old, fell on the floor in a fit, at the address given. The child's mother, Bessie, twenty, appalled by the sight, fainted. Drawn by the sound of the fall, the father, Abraham Morse, ran into the room, cried out, and fell unconscious.

An aunt of the infant, Mrs. Annie Deguid, entered next. She screamed and fainted. Then came another aunt, Miss Jennie Davis. She collapsed at sight of the prostrate family.

Abraham Davis, a brother of Mrs. Morse, was attracted by the screams and sounds of falling. He ran to the room, but did not faint. He rushed out and telephoned the message to the police.

All members of the family recovered quickly after treatment by the ambulance surgeon.

### MOTORMAN OF DEATH TRAIN ON STAND IN DEMPSEY TRIAL

Admits He Saw Signal at Malbone Street Tunnel—Denies Making Too Much Speed.

Anthony J. Luciano, motorman of the Brighton "L" train in the Malbone Street Tunnel wreck, Nov. 1, 1918, which killed 92 persons and injured 290 more, was a witness this morning at the trial in Minerva for manslaughter of former General Manager John J. Dempsey of the New York Consolidated Railways Company.

Luciano said he was going eight miles an hour when he left Park Station and that he saw the yellow lantern signal near the tunnel.

He remembered on the night of the tragedy being in the presence of Mayor Hylan, the District Attorney and others, but added that he did not remember telling the District Attorney that he was making from fourteen to sixteen miles an hour passing the Consumers' Park Station, where an ordinance reduces the speed to six miles an hour.

### SHOT AND KILLED AFTER STREET QUARREL

Four Slayings Flee and Police Find Only Victim When They Reach Scene.

Dominick Finnaro, twenty-five years old, a longshoreman, of No. 1262 66th Street, Brooklyn, was shot through the heart and killed early to-day during a quarrel with four other men at Avenue U and West Eighth Street, Coney Island.

When the police arrived there was only the dead man, and they could not learn what the altercation was about.

Later three men were locked up on suspicion in the Sheepshead Bay Station, but denied having had anything to do with the affair.

### COPELAND-CRAIG ROW ENDS.

Health Commissioner Gets Funds for Drug Hospitals.

At a special meeting of the Board of Estimate to-day the differences between Comptroller Craig and Health Commissioner Copeland, which caused the latter to threaten to resign, were satisfactorily adjusted.

This was done at an informal conference they had with the Mayor. It is understood there is to be \$11,000 made available immediately for pay of nurses and physicians at the North Brother Island Hospital for Drug Addicts, a department of which caused the row between the two officials.

The entire matter has been satisfactorily adjusted and the work of treating drug addicts will continue, said Dr. Copeland after the meeting.

### COLBY IS DIVORCE REFEREE.

Will Take Testimony in Action of Mrs. Grace Van Norden.

Bainbridge Colby to-day was appointed referee by Supreme Court Justice Newburger to take testimony in the divorce action of Mrs. Grace Campbell Van Norden of Pittsfield, Mass., against Theodore Lansford Van Norden of Mount Kisco, N. Y.

Van Norden was served with a summons to appear and testify five weeks ago and at that time Mrs. Van Norden's attorney, Charles S. Cook, gave out a statement that "there is no ill feeling or scandal of any sort connected with the parties."

### HULL SLAYERS GET 20 YEARS

Youths Allowed to Plead Guilty to Second Degree Murder.

Paul Paige and Edward O'Brien, who confessed to murdering and robbing Gardner C. Hull, stationer in his office at No. 108 Fulton Street last July, pleaded guilty to murder in the second degree before Justice Neft in General Sessions to-day. Assistant District Attorney Brothers told the court that the extreme youth of the defendants and their shortcoming in their bringing up entitled them that no jury would bring a verdict against them carrying the death sentence.

Justice Neft sentenced them to prison for not less than twenty years.

## G. O. P. LEADERS IN CONFERENCE ON 1920 BOOMS

Convention City Choice Takes Second Place Among Committee Advance Guard.

WASHINGTON, Dec. 8.—(Republican leaders from every State were coming into Washington to-day to take a hand in the numberless conferences on candidates and policies incident to the meeting of the Republican National committee Wednesday. These conferences easily overshadowed in interest the real purpose of the meeting, which is to select a time and place for the 1920 convention.

With the arrival to-day of Chairman Will H. Hays and other officials it was thought likely conferences might settle the question of the convention city before night. Chicago and St. Louis are making fights for the honor. Other cities seeking it are San Francisco, Asbury Park and Cleveland. Discussions indicated the time would be fixed as early in June.

Women are expected to play a prominent part in the committee's deliberations. At an open meeting before convention claims are taken up Wednesday, Mrs. Medill McCormick, of Chicago; Mrs. Mary G. Hay, of New York; and Mrs. John G. South, of Kentucky will take part. The others are Govs. Spruill, of Pennsylvania, and McKelvie, of Nebraska.

John T. King, National Committee man from Connecticut, is nursing the Presidential boom of Major Gen. Wood. Friends are preparing to open headquarters for Senator Harding of Ohio. Senator James E. Watson, also nursing a boomlet, is on the ground greeting delegates.

### SOPHIE IRENE LOEB ON MAYOR'S RELIEF COMMITTEE

Evening World Writer Appointed to City Body That Will Spend \$300,000 Here.

Mayor Hylan to-day announced the appointment of Miss Sophie Irene Loeb of the Evening World staff to membership on a committee which will have at its disposal a fund of \$300,000 with which to purchase and sell at cost ice, coal and other necessities for the poor of this city. Park Commissioner Berolzheimer is Chairman. Other members are Corporation Counsel Burr, License Commissioner Gilchrist and Deputy Police Commissioner Harrell.

Mayor Hylan appointed Miss Loeb after Edwin J. O'Malley, the newly appointed Public Markets Commissioner had announced that he could not serve on the committee. In his letter of declination Commissioner O'Malley wrote: "However, I am going to ask you to name in my place some other person, preferably a woman, who has been identified with public charities."

The Mayor considers Miss Loeb one of the best informed women in New York on conditions among the poor and he immediately decided upon her appointment.

The committee will be asked to appropriate part of the sum for penny lunches in the schools.

### ELEVATOR OPERATOR FREED AFTER BOY FALLS TO DEATH

Mystery in Fall of Child in Argonne Hotel Shaft Is Unsolved.

Andrew Nesteriak, seventeen, of No. 810 Sixth Avenue, elevator operator at the Argonne Hotel, No. 155 West 47th Street, was discharged to-day in the West Side Court after having been held on a charge of homicide following the death yesterday of Trevor Morgan, two-years-old, who fell down the elevator shaft at the hotel.

The child, a son of William Morgan, recently retired British Army officer, had been playing on the tenth floor with his three-year-old sister and the two took the service car to the second floor. After it reached there the little girl ran to her father and screamed: "Trevor has fallen downstairs!"

The body was found at the foot of the shaft with the skull crushed.

Nesteriak told the police he had closed the car door after letting the children off at the second floor. It is supposed he slammed the door shut and it bounded back without locking.

### D. B. MOTZ SUED FOR DIVORCE

Theatrical Producer Ordered to Pay \$50 a Week Alimony.

Mrs. Josephine Bennett Motz of Bay-side, L. I., has brought suit for absolute divorce from David Bennett Motz, described in the papers as a theatrical producer and stage manager of the Princess Theatre. Mrs. Motz says her husband has an income of \$15,000 from Comstock & Galt, by whom he is employed, and \$15,000 from theatrical ventures in which he is a partner.

Mrs. Motz charges her husband with undue fondness for a young woman described as Gladys Boro and asked alimony of \$6,000 per annum and \$2,500 counsel fees. Justice Roosevelt, in the Supreme Court at Long Island City, granted her \$50 a week and counsel fees of \$200. No answer from Motz was filed.

### Band Theft Suspect's Hearing Postponed.

Frank Storey, accused by Assistant District Attorney Tully of being the "master mind" of a band whose members have stolen more than \$1,000,000 in securities in the Wall Street district, in recent months, was arraigned before Magistrate Tobias to-day in the Central Street Court. His examination was deferred for a week and his \$10,000 bail was continued.

## FINDING OF \$14,500 BRINGS ARRESTS ON BOND THEFT CHARGE

Woman's Tip Leads to Seizure of New York Bank Messenger and Waiter.

Assistant District Attorney John T. Dooley was notified to-day of the arrest in Detroit of Stephan Ostovich, formerly a waiter at the Ritz, and Elias Tieman, seventeen years old, formerly a messenger for L. M. Prince & Co., brokers at No. 29 Broad Street. Tieman is alleged to have stolen \$22,000 worth of securities entrusted to him by his employers for delivery, and it is alleged that some of the securities fell into the hands of Ostovich. Extradition proceedings will be started at once to bring back both men.

The first tip came last Friday when the landlady of the rooming house at No. 432 West 121st Street, where Ostovich lived, reported that she had found about \$14,500 worth of securities in his room. These were identified as part of the stolen package. It was learned at the same time that a man answering the description of the missing messenger had been a visitor at Ostovich's rooms.

When the two were found in Detroit it was said that Tieman still had \$13,000 worth of securities. The Detroit police say he has made a confession describing his travels since the theft, which occurred last September, travels which included Chicago, Jacksonville, Palm Beach, Boston and Detroit. The police said Tieman claimed to have buried \$14,500 of the securities in the sand at Palm Beach, but that is the amount found in Ostovich's room.

### NEW YORK LIQUOR MEN EXPECT TO WIN FIGHT; PREPARE FOR WET DAYS

Thousands of Orders Booked and 3,000 Saloons Are Ready for Word.

New York liquor interests were so optimistic to-day that the Supreme Court will wipe out war-time Prohibition, many were betting money on it and had completed preparations for resuming business with a rush. Liquor representatives admitted they had nothing authoritative, but intimated their confidence was based on a "rumor" and that there was also a "rumor" apparently coming from Washington.

This is not a new rumor. For several weeks wine houses have been booking orders, one having arranged to sell all of its 150,000 gallons of domestic wine.

There are approximately 3,000 saloons in the five boroughs ready to-day to receive truckloads of pre-war 44 per cent, or the later 275 variety of beer, and the brewers are waiting only for a favorable decision to rush out every available truck.

Whiskey and gin wholesalers have been booking orders from saloons, restaurants and hotels for several weeks, to be filled if the Supreme Court decides their way. There is no hope of cheap whiskey or gin, but there may not be much difference in the price of claret, sherry, port and sauterne, as compared with pre-war times.

But brewers have all kinds of the old stock on hand and all that they have to do is tap a fresh keg or fill the kegs with water.

President of the New York Brewing Association, said: "We could put out plenty to-morrow if the Supreme Court so decided. We have plenty of stock on hand and there would be no necessary waste in reducing it to the proper percentage of alcohol."

### 3,000 CARS HELD READY TO MOVE WHISKEY FROM KENTUCKY IF BAN LIFTS

Distillers Prepared to Rush Stocks—Keen Disappointment Over Court's Delay.

LOUISVILLE, Dec. 8.—Standing on sidings near bonded warehouses in Kentucky 3,000 empty freight cars are being held to ship out the \$5,000,000 gallons of whiskey, valued at \$60,000,000, as soon as the Supreme Court decides the War Time Prohibition cases, should the decision be favorable to the "wets." There was much disappointment when it was learned the decision would not be announced to-day.

Whiskey shippers in control of Louisville's intoxicating oasis will take no chances of the liquor being drained from barrels between Louisville and its destination. Each train of whiskey will carry six heavily armed guards, who will patrol its top while it is in motion and the ground nearby when the engine stops.

Owley Brown, Chairman of the Distillers' Committee, said that at least 35 per cent. of the liquor will go out of the State if transportation facilities are at hand during the brief period before Jan. 16. Six special representatives of the United States Railroad Administration arrived to-night from Washington to superintend the loading.

As each gallon of the liquor will result in a tax of \$2.40 being paid to the Government and the market value of the whiskey is \$2 a gallon, in addition to the tax, it will have a value of \$4.40 a gallon from the standpoint of the Government. It is figured that each barrel contains forty gallons, making a total value of \$176 a barrel, \$50,400 a car or \$1,812,000 a trainload.

## Col. Green and One Orphan From France He Has Befriended



COL. GREEN AND HIS WIFE AND CHILDREN

The above photo shows Col. E. H. R. Green, son of the late Hetty Green and Miss Jenny Turpaud. The child's father was a French hero, killed early in the war. Her mother is living but was willing that her daughter should come to America for adoption and education. The girl is the ninth to be befriended by Col. Green. The photo was taken at the Waldorf, where the Greens and their newest member of the family are staying.

### BUS DRIVER WHO KILLED BOY GETS FINE OF \$5

Homicide Charge Is Changed to Driving an Automobile Without License.

William Prall, of Bridgeport, Conn., appeared in the Essex Market Court to-day to answer a charge of homicide and got off with a \$5 fine for driving an automobile without a license.

Prall came here Nov. 23 with a motor bus which was placed in operation on one of the city lines between the Deacons and Grand Street ferries. He had a driver's license issued in Connecticut. On No. 21 his machine struck and killed David Schreiber, eight, of No. 254 Delancey Street.

No witnesses appeared in court against Prall and he was freed of the homicide charge. Magistrate Nolan on questioning him, however, learned that

### STEAL ALL BUT THE ALTAR.

Brooklyn Church Locked to Keep Organ From Thieves.

The congregation of the Catholic Church of the Nativity in Brooklyn at Classon Avenue and Madison Street has found out why the church looked in the middle of the day.

"We have had so much trouble with thieves," said the pastor, Father John L. Belford, "that we decided to keep the church locked at all times when there is not a church official present."

It was bad enough when the thieves stole only pews, umbrellas and hats. But it was time to call a halt when they stole candlesticks, altar coverings and even a fifty-pound bell, as well as my breviary. We had to close the church to prevent the theft of the pews and the organ."

## FIVE ROUNDED UP ON CHARGE OF PLOT FOR HOTEL THEFTS

Arrests-Made After Woman Is Robbed of \$5,000 Gems at Manhattan.

The police are making efforts for the extradition of Vincent Cammella, nineteen, of No. 94 Beacon Avenue, Jersey City, where he is held in \$3,000 bail on a charge of burglary. At the time of his arrest yesterday Detective Sergeants Michael Franchetti, Botto and Maraglia arrested at their home, No. 267 Bleeker Street, Thomas Sabini, seventeen, a wagon helper and Hugh Cox, sixteen, a longshoreman's helper, on similar charges, and Michael De Vito of No. 9 Morton Street, whom they charged with having received stolen goods.

According to the police, some of the men have confessed to the robbery last week of \$3,000 worth of goods from a wholesale grocery store at No. 278 Bleeker Street. They also say that they found much of the stolen groceries in the home of De Vito, who said he did not know the goods were stolen when he bought them.

While searching the De Vito house the detectives entered the room of Antonio Campetello, De Vito's brother-in-law, where they claim to have come upon a lot of silverware, linen and glassware bearing the monograms of big New York hotels. From confessions, the police say they have unearthed a combination to rob the hotels. They declare employees were bribed to wrap goods in a towel and throw them into the ash receiver. Campetello drives an asphalt car, according to the confessions, received the stolen goods in his car and took them to his room to be disposed of later.

Cox and Sabini were held in Jefferson Market Police Court yesterday for General Sessions in \$2,500 bail each, and De Vito has been held for further examination in \$1,000 bail. Campetello was held on a charge of grand larceny for further examination to-morrow, with bail at \$2,000.

Incidentally, it developed that Mrs. John W. Felton of Poughkeepsie was robbed of \$5,000 worth of jewelry in her room at the Manhattan Hotel on Saturday night. She left her room door open.

### SLAPS TEACHER HER SON SAID HAD SLAPPED HIM

Mrs. La Rosa Fined \$25—Instructor Says Boy of Seven Exaggerated Her Action.

Tony La Rosa, seven, told his mother, Mrs. Rosie La Rosa of No. 295 123rd Street, Saturday that Miss Irene Stelmach, his teacher at Public School No. 31 at No. 232 Mott Street, had slapped his face. Mrs. La Rosa visited the school at noon to-day and, finding Miss Stelmach in charge of five classes of youngsters at play in the basement, slapped the teacher's face publicly.

Magistrate Tobias fined Mrs. La Rosa \$25. Miss Stelmach stated that Tony had exaggerated her action. She explained that she placed him in line by force when he refused to obey a direction to fall in with the rest of the class.

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